

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BETTY CLARK,

Plaintiff,

-v-

CIVIL NO. 08-11674

Judge Lawrence P. Zatkoff

Magistrate Judge R. Steven Whalen

COMMISSIONER
OF SOCIAL SECURITY,

Defendant.

**OPINION AND ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff filed the instant action seeking Social Security Disability Insurance Benefits and Supplemental Security Income. This matter is currently before the Court on Magistrate Judge R. Steven Whalen's Report and Recommendation of April 14, 2009, wherein the Magistrate Judge recommends that Plaintiff's Motion for Summary Judgment be granted, Defendant's Motion for Summary Judgment be denied, and that the case be remanded to Defendant for further fact-finding, as set forth in the Report and Recommendation. Although Defendant requested and was granted an extension of time to file objections to the Report and Recommendation, Defendant did not file any objections.

After a thorough review of the court file, the parties' respective motions and the Report and Recommendation, this Court will adopt the Report and Recommendation and enter it as the findings and conclusions of this Court. Therefore, IT IS HEREBY ORDERED that Defendant's Motion for Summary Judgment is DENIED, and Plaintiff's Motion for Summary Judgment is GRANTED. In addition, the Court hereby REMANDS this matter to Defendant for further fact-finding, as set forth in the Report and Recommendation.

IT IS SO ORDERED.

S/Lawrence P. Zatkoff

LAWRENCE P. ZATKOFF

UNITED STATES DISTRICT JUDGE

Dated: June 8, 2009

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on June 8, 2009.

S/Marie E. Verlinde

Case Manager
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